

### **REMARKS**

Claims 18 and 19 are pending in the application. Claim 18 has been amended herein. Support for the amendments to claim 18 can be found throughout the specification as-filed, *e.g.* at page 78, lines 23-27. Thus, no new matter has been added.

#### **35 USC § 112, first paragraph, written description**

Claims 18-19 are rejected under 35 U.S.C. § 112, first paragraph as failing to comply with the written description requirement. According to the Examiner, the specification and the claims as originally filed do not provide support for an isolated hTERT peptide “less than 514 amino acids in length” comprising SEQ ID NO:1. (*See* Office Action at page 3.)

Claim 18, from which claim 19 depends, has been amended to recite an isolated hTERT peptide 50 amino acids in length that binds to a human major histocompatibility complex class I A molecule, wherein the peptide comprises SEQ ID NO: 1. Support for amended claim 18 can be found throughout the specification as-filed. Specifically, support for the amendment to claim 18 can be found at least at page 78, lines 23-27 of the specification as-filed.

As is set forth above, Applicants have provided a detailed description of the claimed invention in the specification. Applicants submit that the written description requirement has been met and that this rejection should be withdrawn.

#### **35 USC § 112, first paragraph, enablement**

Claim 18 is rejected under 35 U.S.C. § 112, first paragraph for lack of enablement. (*See* Office Action at page 3.) According to the Examiner, “[i]t is well known that the structure of MHC class I molecules allows binding of peptides between 8 and 10 amino acids in length”. (Office Action at page 4.)

As stated above, claim 18 has been amended to recite an isolated hTERT peptide 50 amino acids in length that binds to a human major histocompatibility complex class I A molecule, wherein the peptide comprises SEQ ID NO: 1. Those skilled in the art would recognize that peptides longer than 8 to 10 amino acids in length can be accommodated in the MHC class I binding site by a protrusion mechanism, in which extensions can occur at either the

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N or C terminus. (See Stryhn *et al.*, 2000 European Journal of Immunology 30(11): 3089-3099.)

Thus, Applicants submit that one skilled in the art would recognize that an isolated hTERT peptide 50 amino acids in length would be capable of binding a human MHC class I molecule.

As such, Applicants submit that amended claim 18 is fully enabled by the specification as-filed and that this rejection should be withdrawn.

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**CONCLUSION**

On the basis of the foregoing amendments and remarks, Applicants submit the pending claims are in condition for allowance. Such action is respectfully requested. The Commissioner is authorized to charge any fees that may be due to Deposit Account No. 50-0311, Reference No. 20363-015 NATL.

Respectfully submitted,



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